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SEPTEMBER TERM OPENS

Disqualification Leaves Too Few Jurors to Charge.

The case of the Territory vs. E. Vivian Richardson, charged with embezzlement of funds of the Water Works department, has, by consent of counsel, been continued until next January's term of court.

The trial of E. S. Boyd, charged with embezzlement of the funds of the Land Commission, is set for Friday, September 30.

Besides these defendants others in court when Judge Gear opened the September term of the Circuit Court yesterday morning, were Stephen Mahaulu, chief clerk for E. S. Boyd, former Land Commissioner, charged with the same offense as his superior; Enoch Johnson, alleged gross cheat; F. J. Testa, charged with libel; Solomon Meheula, former clerk of the House of Representatives, alleged gross cheat; Daniel Kamal Kahili, manslaughter; Kansiro Hayashida and Liu Lock, charged with murder. Forty-seven cases in all constituted the criminal calendar and the court room was crowded with attorneys, officials, jurymen, spectators and prisoners.

After disqualification and excuse only eleven of the twenty-seven on the panel remained for the grand jury with nine on the petit jury. Enough names to raise the original number to fifty were placed in the jury box by order of the judge, eleven being drawn to serve with the original eleven. These will report this morning and it is thought the grand jurors will be charged. Among those excused yesterday was William Prestige, stage carpenter at the Orpheum, who claims to be a British subject but is a National Guardsman, and may be asked to account for the inconsistency which the Attorney General thinks exists. Several were excused for lack of familiarity with the English language.

The case of the Territory vs. P. O'Sullivan, liquor selling on Sunday, comes up this morning at ten o'clock.

After the calling of the criminal calendar Judge Gear proceeded with the jury trials. That of Solomon Meheula has been set for Monday the 26th inst. The case against Enoch Johnson has been passed for the present, argument is to come upon a motion of Attorney Ashford to withdraw his client's plea of not guilty and plead a former

THE WORRIED WOMEN.

They say men must work and women must weep; but alas, in this too busy world women often have to work and weep at the same time. Their holidays are too few and their work heavy and monotonous. It makes them nervous and irritable. The depressed and worried woman loses her appetite and grows thin and feeble. Once in a while she has spells of palpitation and has to lie up for a day or two. If some disease like influenza or malarial fever happens to prevail she is almost certain to have an attack of it, and that often paves the way for chronic troubles of the throat, lungs and other organs; and there is no saying what the end may be. Let the tired and overladen woman rest as much as possible; and, above all, place at her command a bottle of

WAMPOLE'S PREPARATION a true and sure remedy for the ills and maladies of women. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Search the world over and you will find nothing to equal it. Taken before meals it improves the nutritive value of ordinary foods by making them easier to assimilate, and has carried hope and good cheer into thousands of homes. It is absolutely reliable and effective in Nervous Dyspepsia, Impaired Nutrition, Low Vitality, Wasting Conditions, Melancholy, Chlorosis, Scrofula, and all troubles of the Throat and Lungs. Dr. E. J. Boyes says: "I have found it a preparation of great merit. In a recent case a patient gained nearly twenty pounds in two months' treatment, in which it was the principal remedial agent." It carries the guarantee of reliability and cannot fail or disappoint you. At chemists.

The Famous
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are guaranteed absolutely pure.

conviction. Deputy Attorney General Prosser will oppose.
The case of the Territory vs. F. J. Testa, libel, comes up today. The case of Stephen Mahaulu is set for October 17, his attorney, W. T. Rawlins, being a member of the Registration Board. Araki assault and battery, is for like reason set for the same date.
Ches Leo, larceny, forfeited his bail. Chang Chung, malicious injury, October 3. Hayashida, murder first degree, September 12. Kansiro, murder first degree, passed for present. Dengiro, same charge, October 5. Franca, liquor selling without license, September 13.
Trouble was had in court in the case of Chang Hung, charged with burglary, in securing an interpreter. C. L. Hopkins, the only official Solon, was not up in Chinese and Joseph Goo Kim was secured after much delay. Chang Hung pleaded not guilty.

PROPERTY PARTITIONED.

A decision in a suit for partition brought by Mrs. Francis Keating on the division of property belonging to her deceased husband was yesterday handed down by Judge De Bolt. Under his ruling three-fourths of the property go to the plaintiff and one-fourth to Francis Keating. M. D. Monsarrat is appointed by the court as administrator to see the court's decision carried out. The property in partition lies in Nuuanu Valley.

SEATTLE EVIDENCE.

An order was yesterday issued in the Parker Ranch case for a commission to issue for the examination of Mrs. T. W. Carter now in Seattle. Attorney Ward Kemp is to take the evidence which will bear on the alleged indolence and addiction to strong liquors of her husband.

FEDERAL COURT AT WAIALUA

A dozen or more good men and true, mostly it is said from Scotch banks and braes, are to swell the ranks of American citizenship tomorrow. As they are engaged at the Waialua plantation and cannot easily come to town, Judge Dole, it being vacation time, will with Deputy Clerk Hatch, hold a term of Federal Court at Waialua, possibly at the plantation itself. Judge Dole leaves this afternoon for Waialua, preceded by his clerk, both returning tomorrow.

Jurors Needed Today.

Grand Jurors summoned to appear before Judge Gear this morning to fill the panel are as follows: Archibald A. Dunn, R. L. Scott, R. H. Worrell, Robert Ball, Levi K. Nakea, Frank Barwick, Jeremiah Kanellilli, John Coffee, Albert Trask, S. N. Maakapu, Henry Cook, W. H. McNerny, John J. Egan, Archibald S. Robertson, J. M. Webb, Harry E. Webster, John Andrews, C. J. Day, F. L. Dortch, J. D. Tucker, E. O. K. East, H. R. Macfarlane Jr., and Charles A. Beal.

FRUIT MEN WIN BEFORE COMMISSION

WASHINGTON, August 13.—The Inter-State Commerce commission today announced a decision in what is known as the Michigan fruit case, involving charges for transportation and refrigeration of fruits on points on the Pere Marquette and Michigan Central roads in cars furnished by the Armour car lines.

The commission holds that in the transportation of fruits from points in Michigan it is a common law duty for the railroad companies to furnish refrigerator cars for such service; that they may provide such cars by purchase or by lease, and if the latter plan is adopted they may make contracts with one company which may exclude the use of cars owned by other companies; that carriers should, in the opinion of that commission, be legally compellable to furnish ice for refrigeration or refrigerator cars used upon their lines, but if it is not a part of the obligation of a common carrier to provide such refrigeration when a carrier does furnish it and at the same time prohibits a shipper from obtaining it from any source, the charge for refrigeration is part of the total charge for transportation furnished by the carrier and must be reasonable; that when charges for refrigeration are applied in transportation for perishable freight such charges should be published and adhered to exactly as all other transportation charges are published and observed.

The case arose on the following principal facts: The Pere Marquette and Michigan Central companies entered into contracts with the Armour car lines to furnish them with refrigerator cars for use in the transportation of fruit in Michigan and to refrigerate cars when used for such transportation. Under the contracts the use of other cars in that business is prohibited, and the service of refrigeration is performed exclusively by the car lines company. The railroad companies formerly furnished refrigeration without any charge in addition to the freight rate and they subsequently made a charge for refrigeration substantially equal to the cost of the icing. Acting under the contracts the car lines company exacts charges for refrigeration service which greatly exceed those formerly made to cover the cost of icing by the railroad company and range from 50 to 150 per cent above those made prior to the contract by the car lines company itself. The cost of transportation to shippers has thereby been largely increased and the commission decides that the railroad companies by making these exclusive contracts in effect impose upon the shippers exorbitant charges for the transportation of Michigan fruits to markets in other States, in violation of section 1 of the acts to regulate commerce.

Further action by the commission is withheld to allow the re-adjustment of charges by the railroad and car lines company.

WOULDN'T THIS JAR A REPUBLICAN VOTER?

Mr. J. L. Carter, president of the Republican Club, recently formed within the last few days by the Eleventh Precinct of the Fifth district, one of the two new precincts recently created by the Governor, is at issue with McCants Stewart over the Central Committee's decision that new clubs in these districts shall be formed under the immediate organization of the Central Committee.

"I helped to start the club," said Mr. Carter, "as any American citizen and good Republican has a right to do. To my astonishment Mr. Stewart informed me that he had introduced the resolution to ignore our clubs, and that moreover he was the oldest citizen in the new district and was consequently insulted at our procedure. I called to ask Mr. McCants Stewart to join our club and he immediately opened upon me his vials of vituperation and informed me I had no right to form such a club, that there was in fact no such a club and that he would see to the matter."

"He evidently has seen to it and apparently has sufficient pull with the Central Committee to bring this resolution ignoring us. Now this seems a poor policy to me at the present moment and the only result will be to divide the precinct as there will certainly be two clubs. Our already formed organization, got together in good faith, will stand together. It seems a poor piece of political tact to allow the spleen of Mr. McCants Stewart, who is about to leave and could not hold the position in the district club he evidently covets, to offset the earnest effort of good citizens to help the cause, especially at this stage of the game."

A. CLIFTON KELWAY LEAVES FOR MAINLAND

Mr. A. Clifton Kelway, of London, who sails for San Francisco on the S. S. Alameda today, bears with him many pleasant recollections of a visit to these islands which has proved all too short. Arriving on the Sierra a fortnight ago, he subsequently spent a week in the famous Volcano district, and since his return to Honolulu he has gained an acquaintance with many points of interest, both secular and ecclesiastical, which will enable him to make known the charms and fascinations of Honolulu with voice and pen on his return to England. Mr. Kelway, on Saturday, visited the Pail as the guest of the local branch of the Brotherhood of St. Andrew, and has been much interested in the church work which finds a center at St. Andrew's Cathedral, notably in the Priory school. He is returning to America in order to attend the triennial Convention of the church in Boston which begins on October 5, and he will subsequently proceed to London, there to resume literary and lecturing work during the ensuing winter.

In Police Court.

Joe Makea, who sold powdered opium obtained from the Hobron Drug Co., was fined \$100 and costs in police court yesterday for selling poisonous drugs without a license. Joe Maunakea got ten days for assault and battery. C. K. Simpson, charged with the same offense, got off with a reprimand. Numerous drunks were fined \$3 and costs each.

Notice of Sale!

I will offer for sale by public auction at my salesroom, No. 847 Kaahumanu street, Honolulu, on Saturday, the 10th day of September, 1904, at 12 o'clock noon, by order of the Pledges, twelve hundred and fifty (1250) shares of the capital stock of the McBryde Sugar Company, Limited, (an Hawaiian corporation), of the par value of twenty dollars (\$20) each, being the shares referred to in share certificate No. 3089 issued to C. H. W. Norton.
Dated at Honolulu, Sept. 1st, 1904.

JAS. F. MORGAN,
AUCTIONEER.

SALE OF LEASE

LAND AT KAWAIAE
2nd Kohala, Hawaii.

MONDAY, SEPT. 19, 1904,
AT 12 O'CLOCK NOON.

At my salesroom, 857 Kaahumanu street, Honolulu. Area, 10,600 acres, more or less.

One of the most desirable grazing tracts in the district and the source of the Keawenui Stream, an unfailing water supply. On the property at Kawaihae is a fine house lot adjoining the Parker place.

For further particulars apply
JAS. F. MORGAN,
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Auction Sale

THURSDAY, SEPT. 8, 1904.

AT 10 O'CLOCK A. M.
I will sell at my salesroom, 847 Kaahumanu street,
31 vols. Encyclopedia of Law, 1st edition.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale

FRIDAY, SEPT. 9, 1904.

AT 10 O'CLOCK A. M.
At "MIGNON," Beretania street, late residence of Mrs. M. Turner, I am instructed to sell the entire household effects in above residence, comprising: Bedroom Suites in Quartered Oak, Quartered Oak Cheffonières, Iron and Brass Beds, Hair Mattresses, Folding Beds, Bureaus, Elegant Walnut Wardrobe, Round Oak Dining Table, extends 12 feet,
Very Choice Buffet, Oak Sideboard (very dainty), Center Tables in Mahogany and Oak, Wicker Chairs and Rockers, Ladies' Mahogany Writing Desk, Whatnots, Bookcase, Desks, Brackets, Jardinieres, Dining-room Chairs, Box Couch, Fine 8-hole Stove, nearly new, Ice Box, Refrigerator, Plates, Dishes, Kitchen Ware, Hall Rack,
Very Choice Ferns and Plants,
1 neat, nearly new, Rubber-tired Honolulu-made Phaeton,
Garden Hose, Tools, Etc., Etc.

JAS. F. MORGAN,
AUCTIONEER.

Commissioners' Sales

SATURDAY, SEPT. 24, 1904.

AT 12 O'CLOCK NOON,
At front entrance of Judiciary Building, Honolulu, one of the most valuable pieces of property in Honolulu, situate on Union street and Adams lane, known as the Monsarrat property.

P. D. KELLET, JR.,
Commissioner.

MONDAY, SEPT. 19, 1904.
At front entrance of Judiciary Building,

AT 12 O'CLOCK NOON,
Valuable Tracts of Real Estate and Elegant Mansion House situate at Manoa. Area, 62 22-100 acres.

WM. R. SIMS,
Commissioner.

Administrator's Sale

Matter Estate of Henry Congdon (Deceased).
At front entrance of Judiciary Building,

AT 12 O'CLOCK NOON,
MONDAY, SEPT. 19, 1904,
South slope of Punchbowl, Lot No. 486; 12,150 sq. ft.
Lots Nos. 1, 2 and 3, Kapiolani Park Addition.

CHARLES PHILLIPS,
Administrator.

For further particulars apply
JAS. F. MORGAN,
AUCTIONEER.

COMMISSIONER'S SALE

JUDICIARY BUILDING,

MONDAY, SEPT. 19, 1904,

AT 12 O'CLOCK NOON,

The Finest Piece of Property in
Manoa Valley

Street cars run through the Tract. Roads are made.
Land is laid out in building lots. Water is piped there.
Land is cleared and covered with grasses, soil is productive.
An "Arbor Day" every month will in a short time make the tract a veritable Paradise.
The air is cool and bracing. The location is most healthy. School facilities in the neighborhood unsurpassed.
Telephone communication. Natural drainage. View elegant.
Residents in neighborhood the best. There will be very shortly an influx of people seeking "Health." These people will not want homes in town or heated low lands, but will require elevation, cool, bracing locality, yet with it all, the comforts of a town house.

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